

1 Pursuant to Civil L.R. 16-10(d), the parties to the above-entitled action certify that they
2 met and conferred at least 10 days prior to the subsequent case management conference
3 scheduled in this case and jointly submit this Supplemental Case Management Statement in this
4 case.

5 **1. The following progress or changes have occurred since the last case**
6 **management statement filed by the parties:**

7 On June 20, 2011, the parties in this action agreed to stay this action pending the outcome
8 of Xicor's appeal in in *Greenliant Systems, Inc. v. Xicor LLC*, Case No. CV 11-00631, Northern
9 District of California, San Francisco Division ("the Greenliant matter") to appeal the March 21,
10 2011 order entered in this case that held claims 12 and 13 of the reissue patent invalid under the
11 rule against recapture. (Dkt. No. 91.)

12 On June 22, 2011, the Court stayed this case pursuant to the Parties' stipulation. (Dkt.
13 No. 93).

14 On July 22, 2011 Xicor filed a notice of appeal in the Greenliant matter.

15 On August 26, 2011, SST filed a motion to dismiss the Greenliant Appeal, which has not
16 yet been decided. As a result of SST's motion to dismiss, the appellate deadlines are suspended
17 pursuant to Federal Circuit Rule 31(c) until the Federal Circuit rules on SST's motion to dismiss.

18 **2. The parties are not aware of any issues that require the Court's attention at**
19 **this time.**

20 Based on the foregoing, the parties agree that they have no issues to raise with the Court
21 at the case management conference scheduled for December 20, 2011 and respectfully request
22 that said conference be postponed.
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Respectfully submitted,

December 9, 2011

COVINGTON & BURLING LLP

By: /s/ Jo Dale Carothers
Jo Dale Carothers
Attorneys for Plaintiff Silicon Storage Technology, Inc.

December 9, 2011

SHORE CHAN BRAGALONE DEPUMPO LLP

By: /s/ Michael W. Shore
Michael W. Shore, Esq.
Attorneys for Defendant Xicor LLC

ATTESTATION

I, Michael W. Shore, am the ECF user whose User ID and Password are being used to file the JOINT CASE MANAGEMENT STATEMENT. In compliance with General Order 45.X.B, I hereby attest that concurrence in the filing of this document has been obtained from signatory Jo Dale Carothers.

December 9, 2011

SHORE CHAN BRAGALONE DEPUMPO LLP

By: /s/ Michael W. Shore

IT IS SO ORDERED that the case management conference is reset to April 6, 2012 at 9:00 a.m. A joint CMC statement shall be filed by March 30, 2012.

Edward M. Chen
U.S. District Judge

